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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,473	11/30/2000	Sang Hyun Han	HI-021	1714

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EXAMINER	
TAYLOR, BARRY W	

ART UNIT	PAPER NUMBER
2643	

DATE MAILED: 11/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No.	Applicant(s)	
	09/725,473	HAN, SANG HYUN	
	Examiner	Art Unit	
	Barry W Taylor	2643	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 October 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.

b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☐ The proposed amendment(s) will not be entered because:

   (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ they raise the issue of new matter (see Note below);

   (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5. ☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *See Continuation Sheet*.

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7. ☒ For purposes of Appeal, the proposed amendment(s) a)☐ will not be entered or b)☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: *1-11, 13-35*.

   Claim(s) withdrawn from consideration: _____.

CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

8. ☐ The proposed drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10. ☒ Other: PTO-892

Continuation Sheet (PTO-303)

Regarding Applicant's remarks on page 1 and continuing on page 2 regarding independent claim 33 and dependent claim 34 wherein Applicant's contend that Bachi fails to teach or suggest using caller ID data for identifying information service provider and a text message. The Examiner respectfully disagrees. Bagchi teaches a no-ring access telephony system wherein caller-id is received and analyzed to determine whether or not to go off-hook (Title, abstract, columns 1-4 especially column 3 line 40+). Bagchi invention provides no-ring access to telecommunication devices at subscriber's premises via PSTN for various applications such as screen telephony, downloading of information, PC telephony, **display-based marketing** (col. 4 lines 54-67) allowing subscribers to communicate with, for example stock brokerage firms, **home shopping venders, among other service providers** etc. (col. 4 lines 54-67).

Regarding Applicant's brief remark regarding dependent claim 35 at the top of page 3 wherein Applicant's contend that Garland makes no reference to Caller ID. First of all, Bachi indeed makes reference to Caller ID. Secondly, Garland cites Bachi (see references cited by Garland). Furthermore, Gardland indeed discloses circuitry for receiving an alert tone from the switching system as well as digital alert tones if a digital interface is used (column 3 lines 28-67). Garland even allows for non-disruptive down loading of data by using a silent alert tone (column 5). Garland even discloses caller ID format of several different forms (see column 6). Furthermore, Applicant's have openly

admitted that **any** modulation method could be used (see Applicant's detailed specification page 11 line 11).

Regarding Applicant's on page 4 wherein Applicant's attempt to define "caller ID data" and "caller ID message" and the claim language in claim 20 means both identification as well as other non-identification information. Bagchi teaches a no-ring access telephony system wherein caller-id is received and analyzed to determine whether or not to go off-hook (Title, abstract, columns 1-4 especially column 3 line 40+). Bagchi invention provides no-ring access to telecommunication devices at subscriber's premises via PSTN for various applications such as screen telephony, downloading of information, PC telephony, **display-based marketing** (col. 4 lines 54-67) allowing subscribers to communicate with, for example stock brokerage firms, **home shopping venders, among other service providers** etc. (col. 4 lines 54-67).

Applicants contend that specification page 18 distinguishes Applicant's invention from prior art (see remarks on page 5 wherein Applicant's invention is directed towards an advertisement company can transmit an advertisement message along with the advertisement service company's identification). Bagchi teaches this (see Examiner rejection listed above).

Regarding Applicant's general remark on page 5 regarding Hassler wherein Applicant's contend that there is no teaching or suggestion that Caller ID is used to transfer and receive messages using Caller ID. The Examiner respectfully disagrees.

Bagchi teaches a no-ring access telephony system wherein caller-id is received and analyzed to determine whether or not to go off-hook (Title, abstract, columns 1-4 especially column 3 line 40+). Bagchi invention provides no-ring access to telecommunication devices at subscriber's premises via PSTN for various applications such as screen telephony, downloading of information, PC telephony, **display-based marketing** (col. 4 lines 54-67) allowing subscribers to communicate with, for example stock brokerage firms, **home shopping venders, among other service providers** etc. (col. 4 lines 54-67).

Regarding Applicant's remarks starting on page 6 and continuing to the top of page 7 wherein Hassler does not teach the information and identification information of the first communications device as caller ID data and including the message data this and the identification signal. The Examiner has already addressed these issues (see rejection listed above as well as response to Applicant's arguments).

Regarding Applicant's arguments starting on page 7 and continuing on page 8 arguing that Hassler again, however, there is no teaching of the message being caller ID data. The Examiner disagrees. See Hassler figure 2. Furthermore, Applicant's caller ID data is nothing more than a telephone number or a text message (see Applicant's specification page 10 last three lines). Furthermore, Applicant's have indicated that **any modulation method could be used** (See Applicant's detailed specification page 11 line 11). Now it appears, that any modulation method (see

Hassler modulated message figure 2) cannot be used. However, Bagchi teaches Caller ID with **display-based marketing** (col. 4 lines 54-67) allowing subscribers to communicate with, for example stock brokerage firms**, home shopping venders, among other service providers** etc. (col. 4 lines 54-67).

Applicants contend that since Hassler uses "no ring signal" to transfer message "caller ID data" is not sent when a ring signal is generated (see first five lines of page 9). The Examiner does not see caller ID sent with ring signal in Applicant's general claim language. Furthermore, Applicant's specification indicates that any Frequency Shift Keying (FSK) modulator may be used (see Applicant's specification page 10 lines 6 and line 19 wherein FSK data is nothing more than a telephone number or a text message).

Regarding Applicant's brief remarks starting at the bottom of page 9 and continuing on page 10 wherein Applicant's argue the Bagchi patent again (see Examiner rejection listed above, as well as response to arguments).

Regarding Applicant's remarks starting at the bottom of page 10 and continuing to page 12 wherein the combination of references fails to teach or suggest transmitting a ring signal and modulated information. Bachi show standard caller ID technique.

To further advance prosecution the Examiner has provided Applicant with additional references that use standard Caller ID and modulated information.

---(6,052,444) Ferry et al teaches using standard caller ID with modulated information (see caller ID and video).

---(5,907,604) Hsu teaches caller ID with modulated information (see caller ID and image icon of advertiser).

---(5,901,209) Tannenbaum et al teaches caller ID with ANI information to reflect the particular institution that is sponsoring the call.

---(6,327,359) Kang et al teaches adding personal information to calling line identification.